

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

---

BRIAN DE WARD, PRO SE,	§	
TDCJ-CID No. 1426930,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:09-CV-0204
	§	
GARY GOMEZ ET AL.,	§	
	§	
Defendants.	§	

**ORDER OF DISMISSAL**

Plaintiff BRIAN DE WARD, while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against numerous defendants employed by or otherwise associated with the Texas Department of Criminal Justice and requesting leave to proceed *in forma pauperis*.

On September 21, 2009, a Report and Recommendation was issued by the United States Magistrate Judge analyzing plaintiff's claims and noting his failure to comply with the Court's Order to file an amended complaint in compliance with Rule 8, F.R.C.P. and his failure to supply the financial disclosure necessary to support his request for pauper status. The Magistrate Judge recommended dismissal without prejudice for failure to comply with Rule 8, Federal Rules of Civil Procedure and for failure to obey the court's order to provide the supporting financial disclosure to allow consideration of his request for pauper status.

Plaintiff filed his Objections on September 30, 2009.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as the Objections filed by the plaintiff.

The Court is of the opinion that the objections of the plaintiff should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that this Civil Rights Complaint is DISMISSED WITHOUT PREJUDICE FOR FAILURE TO COMPLY WITH RULE 8, FEDERAL RULES OF CIVIL PROCEDURE AND FOR FAILURE TO OBEY THE COURT'S ORDER TO PROVIDE THE SUPPORTING FINANCIAL DISCLOSURE TO ALLOW CONSIDERATION OF HIS REQUEST FOR PAUPER STATUS.

LET JUDGMENT BE ENTERED ACCORDINGLY.

All pending motions are DENIED.

IT IS SO ORDERED.

SIGNED AND ENTERED this 2<sup>nd</sup> day of October, 2009.

/s/ Mary Lou Robinson  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE